

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

OSCAR LEIVA,

Plaintiff,

v.

KILOLO KIJAKAZI, Acting Commissioner
of Social Security;

Defendant.

8:21CV444

ORDER

This matter is before the Court on remand from the United States Court of Appeals for the Eighth Circuit (Filing No. 34) after it reversed this Court's decision affirming Acting Commissioner of Social Security Kilolo Kijikazi's ("Commissioner") decision to deny plaintiff Oscar Leiva's claims for disability benefits under Title II of the Social Security Act (the "Act"), 42 U.S.C. § 401 *et seq.*, and for supplemental security income under Title XVI of the Act, 42 U.S.C. § 1381 *et seq.* The Eighth Circuit has instructed this Court to "enter a final judgment reversing the decision" to deny benefits "and remanding the matter to the Commissioner for further administrative proceedings pursuant to the fourth sentence of 42 U.S.C. § 405(g)."

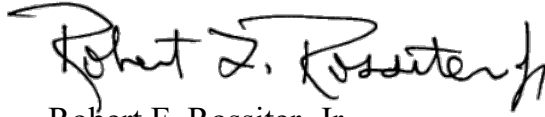
In light of those instructions,

IT IS ORDERED:

1. The Commissioner's final decision denying plaintiff Oscar Leiva's claims for benefits is reversed, and this case is remanded for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g).
2. A separate judgment will issue.

Dated this 8th day of June 2023.

BY THE COURT:

A handwritten signature in black ink, reading "Robert F. Rossiter, Jr." with a stylized flourish at the end.

Robert F. Rossiter, Jr.
Chief United States District Judge